

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
RUTH ANN KRAIS,

Plaintiff,

-against-

CENTERPORT YACHT CLUB, INC., and
SCOTT LAFRENIERE, in his individual and professional
capacities, and RAMON LOURIDO, in his individual and
professional capacities,

Defendants.
----- X

DEFENDANTS'
PROPOSED VOIR DIRE
QUESTIONS

13-CV-5741 (JS)(AKT)

Defendants CENTERPORT YACHT CLUB, INC., SCOTT LAFRENIERE and
RAMON LOURIDO, by and through their attorneys Law Offices of James P. Clark, P.C.,
respectfully request that, in addition to general background/pedigree questions, the Court ask the
following questions of all prospective jurors.

GENERAL INFORMATION

1. Have you ever heard of the Centerport Yacht Club?
 - a. If so, how?
2. Have you ever been to the Centerport Yacht Club?
 - a. If so, when?
 - b. Why?
 - c. With whom?
3. Do you know anyone who is a member or employee of the Centerport Yacht Club?

PRIOR KNOWLEDGE OF THE LAWSUIT

4. Other than what you've heard here today, do you have any knowledge about this lawsuit?
5. If so, what do you know about the case?

6. If so, have you reached any conclusions about who should prevail in this action?

RELATIONSHIP QUESTIONS

7. Are you related to Ruth Kraiss or any of her family members?
8. Do you know Ruth Kraiss or any of her family members?
9. If you know or know of Ruth Kraiss, what do you know or what have you been told about her?
10. If you know or know of Ruth Kraiss, have you formed an opinion of her? If so, please describe.
11. Are you related to Scott LaFreniere or any of his family members?
12. Do you know Scott LaFreniere or any of his family members?
13. If you know or know of Scott LaFreniere, what do you know or what have you been told about him?
14. If you know or know of Scott LaFreniere, have you formed an opinion of him? If so, please describe.
15. Are you related to Ramon Lourido or any of his family members?
16. Do you know Ramon Lourido or any of his family members?
17. If you know or know of Ramon Lourido, what do you know or what have you been told about him?
18. If you know or know of Ramon Lourido, have you formed an opinion of him? If so, please describe.
19. Ms. Kraiss is represented in this action by Alexander Gastman of the firm of Borelli & Associates. Do you know Mr. Gastman or anyone associated with him or his firm?

20. The Centerport Yacht Club, Mr. LaFreniere and Mr. Lourido are represented in this action by the Law Offices of James P. Clark. Do you know Mr. Clark or anyone associated with his firm?
21. Do you know any of the following people who have been identified as potential witnesses in this case:
- a. Ruth Kraus
 - b. Scott LaFreniere
 - c. Ramon Lourido
 - d. Kerri Phillips
 - e. Christine Phillips
 - f. MaryAnn Torio
 - g. Erica Agagnina
 - h. Marie Agagnina
 - i. Anthony Emanuele
 - j. Krista Rutzel
 - k. Torin Washeim
 - l. Dora Guevarra
 - m. Robert Ferri
22. If you know any of the above-mentioned people:
- a. How do you know him/her?
 - b. What is your opinion of that person? Why?
 - c. Do you have an opinion as to whether that person is truthful and would tell the truth in this trial?

OCCUPATION

23. Are you employed? If so, where do you work and what do you do?
24. Are you retired? If so, where did you work prior to retirement?
25. How long have you been employed there?
26. What is your job title?
27. What are your duties and responsibilities?

28. Do you supervise other employees?
29. Is your spouse or partner employed? If so where does he/she work and what does he/she do?
30. Is your spouse/partner retired? If so, where did he/she work prior to retirement?
31. Are your children employed? If so, where do they work and what do they do?
32. Have you or anyone in your family ever worked in the fields of labor relations, personnel, or human resources? If so, please explain.
33. Have you or anyone in your family ever been terminated from employment? If so, please explain.

VICTIM OF SEXUAL HARASSMENT OR RETALIATION

34. Do you know what sexual harassment means? What does it mean to you?
35. Have you, any member of your family, or a close friend ever experienced sexual harassment at work? If so, please explain.
36. Have you, any member of your family, or a close friend ever been accused of sexual harassment? If so, please explain.
37. Have you, any member of your family, or a close friend ever filed a lawsuit or complaint or participated in a proceeding, hearing, or trial involving sexual harassment? If so, please explain.
38. If there was a trial or Administrative Hearing, did you testify or attend the trial or the Administrative Hearing?
39. What was the result of the matter?
40. How did you feel about the resolution of the matter?

41. Do you think that your experience will prejudice you in any way in performing your duty in this case?
42. Do you know what retaliation means? What does it mean to you?
43. Have you, any member of your family, or a close friend ever been a victim of retaliation in the workplace? If so, please explain.
44. Have you, any member of your family, or a close friend ever been accused of retaliation in the workplace? If so, please explain.
45. Have you, any member of your family, or a close friend ever filed a lawsuit or complaint or participated in a proceeding, hearing, or trial involving retaliation in the workplace? If so, please explain.
46. If there was a trial or Administrative Hearing, did you testify or attend the trial or the Administrative Hearing?
47. What was the result of the matter?
48. How did you feel about the resolution of the matter?
49. Do you think that your experience will prejudice you in any way in performing your duty in this case?

PRIOR CIVIL LITIGATION EXPERIENCE

50. Have you, any member of your family, or any close friend, ever been a plaintiff, defendant, or witness in a civil case? If so did you/they testify at any of the proceedings?
51. Was the matter heard by a jury? Was a verdict rendered? Was the matter settled before a final verdict was reached?
52. How did you feel about that experience? Did you feel that justice was done? Did you form any opinions about the civil court system? If so, what are your opinions?

53. What is your concept of the burden of proof in a civil case? If the judge instructs you differently than you previously thought, will you be able to follow those instructions?
54. Have you, or has any family member, or any close personal friend, ever filed any kind of claim or lawsuit against an employer? If so, please explain. Were you satisfied with the result?
55. Have you, or has any family member, ever served on a jury before?
- a. If yes, who served?
 - b. When?
 - c. What court?
 - d. What type of case?
 - e. Did you render a verdict?
 - f. What did you think of the experience?

GENERAL IMPARTIALITY QUESTIONS

56. Do you think most employers treat their employees fairly?
57. Have you ever felt you were unfairly treated by an employer? If so, please explain.
58. Have you, or any family member, ever felt sexually harassed? If so, please explain.
59. Do you feel that you would be able to follow the Judge's instructions regarding the law to be applied to this case even if you disagreed with her instructions and felt that the law ought to be otherwise?
60. If, after hearing all the evidence in this case, you felt sorry for the plaintiff but you also found that she had not been sexually harassed or retaliated against, would you have any problem awarding her no damages and returning a verdict in favor of the Defendants? If so, please explain.

61. If, after hearing all the evidence in this case, you felt sorry for the plaintiff but you also found that she had not been sexually harassed or retaliated against, would you want the plaintiff to be compensated by the defendants anyway? If so, please explain.
62. Under our system of law, the burden of proof is always on the plaintiff; in this case, Ms. Kraus. Is there any reason you cannot accept this principle?
63. Under our system of law, the plaintiff presents her case first. Do you think you can keep an open mind until you have heard the defendants' response to these claims?
64. Under our system of law, if you are called upon to assess damages in this case, you may not consider or base your decision on sympathy or speculation or the fact that one party may have more money than the other party. Is there any reason you could not apply this rule? If so, please explain.
65. Is there anything you would like to tell the Court about your ability to serve as a juror outside the hearing of other members of the jury panel?
66. Do you know of any reason why you should not be a juror in this case? If so, please explain.
67. Do you know of any reason that would prevent you from fairly considering the evidence in this case and reaching an impartial result? If so, please explain.

68. Do you have any problems serving on a jury? Is there anything about the responsibility of sitting in judgment on another person's lawsuit that bothers you in any way? If so, please explain.

Respectfully submitted,

LAW OFFICES OF JAMES P. CLARK PC

/s/

By:_____

James P. Clark (JC 0824)
Attorneys for Defendants
256 Main Street, Suite 202
Northport, New York 11768
(631) 261-1040